

REMARKS

Claims 1-24 are pending in this application. Claim 1 has been amended. Claims 10-24 have been withdrawn from reconsideration.

In the Office Action, claims 1-4 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,123,243 (Kawasaki) in view of U.S. Patent No. 6,801,849 (Szukala). Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kawasaki in view of Szukala and further in view of U.S. Patent No. 6,603,494 (Banks). Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kawasaki in view of Szukala and further in view of U.S. Patent No. 5,598,527 (Debrus). Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kawasaki in view of Szukala and further in view of U.S. Patent No. 5,859,628 (Ross). Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kawasaki in view of Szukala and further in view of U.S. Patent No. 7,154,481 (Cross). These rejections are respectfully traversed. Applicants hereby request reconsideration and allowance of the claims in view of the following arguments.

Regarding the rejection of independent claim 1 based on Kawasaki and Szukala, this claim has been amended to recite that the claimed computer-readable storage medium causes the diagnostic instrument to display an instrument identity banner including details of the type and status of the diagnostic instrument. This amendment is fully supported, for example, at paragraphs 0044 and 0050 of the application, and is depicted at Fig. 4 of the application as reference numeral 430. No new matter has been added. As explained at paragraph 0050 of the application, the instrument identity banner advantageously displays details about the type of

instrument, and status information including, for example, the state of consumable supplies within the instrument, the progress of a particular test, etc.

Neither of the cited prior art references teaches or suggests the claimed instrument identity banner. Kawasaki does not disclose displaying any such verbal information. Szukala discloses displaying the titles of menu options in a banner after a menu option is chosen (see, e.g., Szukala Figs. 7(a)-14(b)), but does not teach or suggest displaying any additional information in a banner, such as details of the type and status of the instrument, as claimed.

Since neither Kawasaki nor Szukala teaches or suggests displaying an instrument identity banner as claimed, any combination of these references, however made, would be missing this claimed feature, and it would not have been obvious to add this feature to any Kawasaki/Szukala combination.

Consequently, independent claim 1 is patentable, as are claims 2-4 and 7, which depend from claim 1.

Regarding the obviousness rejections of claims 5, 6, 8, and 9 based on Kawasaki and Szukala in combination with Banks, Debrus, Ross or Cross, since none of the additional cited references teaches or suggests displaying the claimed instrument identity banner of claim 1, from which these claims depend, any combination of Kawasaki and Szukala with these references, however made, would be missing this claimed feature, and it would not have been obvious to add this feature to any Kawasaki/Szukala/Banks/Debrus/Ross/Cross combination.

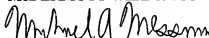
Consequently, claims 5, 6, 8, and 9 are patentable.

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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